TC 737-06 SUB Sterling, Robert M1081

MSA. S. 1829-6113

Comment 12/8/04 42

Martin O'Malley
Governor

Anthony G. Brown Lt. Governor



Margaret G. McHale Chair

Ren Serey
Executive Director

STATE OF MARYLAND CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401 (410) 260-3460 Fax: (410) 974-5338 www.dnr.state.md.us/criticalarea/

July 29, 2009

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
11 N. Washington Street
Courthouse
Easton, Maryland 21601

Re:

M1081

Sterling Subdivision

Dear Ms. Verdery:

Thank you for providing supplemental information on the above referenced lot line revision, lot line abandonment, and subdivision. The applicant is proposing to revise and abandon lot lines on three existing tax parcels and to create one new lot (Lot 1). The property is 105.738 acres in size, with 97.286 acres located within the Critical Area and designated as a Resource Conservation Area (RCA). Revised Tax Parcel 216, Revised Tax Parcel 218, and Lot 1 are undeveloped and have no lot coverage. Revised Tax Parcel 2 is currently developed with a single-family dwelling unit, studio, parking area, pool, storage area, driveway, and dog pen. Total lot coverage on this site is 58,599 square feet, which is below the 15% permitted (98,853 square feet). All four available development rights in the Critical Area will be used if this project is approved.

Based on the provided information, we have the following comments:

1. As mentioned, in our January 6, 2009 letter, the site plan states that a main dwelling and studio exist on Tax Parcel 2. In that letter, we requested that the County verify whether the studio meets the definition of a stand alone dwelling unit or is a dwelling unit that is considered part of the primary dwelling for purposes of calculating density as defined in Natural Resources Article §8-1808.1(e). The applicant states that the County has determined that this studio is not considered a "dwelling unit." Please provide to this office documentation from the County verifying this determination.

- 2. In reviewing the expanded Buffer Determination plan for the site, it appears that a well is proposed within the expanded Buffer for Lot 1. New subdivisions within the Critical Area may not be approved that propose wells within the 100-foot Buffer or expanded Buffer. Therefore, the well must be located in an alternate location on the site, or the applicant must revise the proposed lot lines to include an area for a well that is located outside of the Buffer and expanded Buffer.
- 3. In reviewing the Buffer Determination plan, it is unclear if the Buffer was properly expanded for steep slopes. Please submit a revised Buffer Determination plan that provides soil types and contours, as well as transects that describe how the Buffer was expanded.
- 4. Please provide a copy of the letter from the United States Fish and Wildlife Service stating that Delmarva Fox Squirrel Habitat does not exist on the site.
- 5. The applicant states that a Habitat Protection Plan was submitted to this office in April 2009. This office does not have a copy of the plan. Please have the applicant submit another copy of this plan to this office for review.

Thank you for the opportunity to provide comments on this plan. Please have the applicant provide the information requested above. If there are any questions, please call me at (410) 260-3483.

Sincerely,

Nick Kelly

Natural Resource Planner

TC 737-06

Martin O'Malley
Governor

Anthony G. Brown Lt. Governor



Margaret G. McHale Chair

Ren Serey
Executive Director

STATE OF MARYLAND CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401 (410) 260-3460 Fax: (410) 974-5338 www.dnr.state.md.us/criticalarea/

January 6, 2009

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
11 N. Washington Street
Courthouse
Easton, Maryland 21601

Re:

M1081

Sterling Subdivision

Dear Ms. Verdery:

Thank you for providing information on the above referenced lot line revision, lot line abandonment, and subdivision. The applicant is proposing to revise and abandon lot lines on three existing tax parcels and to create two new lots. Total area for the parcels is 105.738 acres, with 97.386 acres located in the Critical Area and designated Resource Conservation Area (RCA). Revised Tax Parcel 218, Revised Tax Parcel 216, and Lot 1, are undeveloped and have no lot coverage. Revised Tax Parcel 2 is currently developed with a single-family dwelling unit, studio, parking area, pool, storage area, driveway, and dog pen. Total lot coverage on this site is 61,850 square feet, which is below the 15% permitted (96,729 square feet). All four development rights permitted in the Critical Area will be used if this project is approved.

Based on the provided information, we have the following comments on this project:

- 1. Upon completion of this subdivision, the applicant will have exhausted all available development rights.
- 2. The site plan states that a main dwelling and studio exist on Tax Parcel 2. We request that the County verify whether the studio meets the definition of a stand alone dwelling unit or is a dwelling unit that is considered part of the primary dwelling for purposes of calculating density as defined in Natural Resources Article §8-1808.1(e). In reviewing the plan, it does not appear that studio would qualify as an additional dwelling unit as part of the primary dwelling, as it is larger than 900 square feet in total enclosed area.

TTY for the Deaf Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450 If the County deems that the studio qualifies as a stand alone dwelling unit, then five dwelling units would be proposed onsite. The applicant would be required to reduce the amount of proposed dwelling units to four in order to meet density restrictions, and a revised site plan would be required.

- 3. Please ensure that the applicant follows the recommendations given by the Department of Natural Resources Wildlife and Heritage Service in order to protect the Delmarva Fox Squirrel, which is known to occur on or in the immediate vicinity of this property. In addition, the applicant should coordinate with the United States Fish and Wildlife Service on protection of this species.
- 4. The site plan mentions that reasonable effort will be made to limit construction within Forest Interior Dwelling Bird (FIDS) habitat area. A FIDS Mitigation Analysis sheet for any clearing related to this project must be submitted to this office for review and comment
- 5. Due to the presence of Delmarva Fox Squirrel and FIDS habitat, a Habitat Protection Plan must be submitted to this office for review and comment, as required in §190-93 E(8)(d)of the Talbot County code. This plan must be submitted prior to preliminary plat approval.
- 6. Mitigation for any future forest clearing onsite shall be provided at a 1:1 ratio, provided it is less than 20% clearing and meets the site design guidelines within the Critical Area FIDS Guidance Manual.
- 7. The proposed project is located in a waterfowl concentration area. Therefore, time of year restrictions for shoreline work will apply between November 15 and March 1.

Thank you for the opportunity to provide comments on this lot line revision request. Please provide the information requested above. Please call me with any questions at (410) 260-3483.

Sincerely,

Natural Resource Planner

cc: TC 737-06

Martin O'Malley
Governor

Anthony G. Brown



Margaret G. McHale Chair

Ren Serey
Executive Director

STATE OF MARYLAND CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401 (410) 260-3460 Fax: (410) 974-5338 www.dnr.state.md.us/criticalarea/

June 29, 2007

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
11 N. Washington Street
Courthouse
Easton, Maryland 21601

Re: M1081

Sterling Subdivision

Dear Ms. Verdery:

Thank you for providing information on the above referenced lot line revision, lot line abandonment, and subdivision. The applicant is proposing to revise and abandon lot lines on three existing tax parcels and to create two new lots. The property is designated as a Resource Conservation Area (RCA). Revised Tax Parcel 218, Revised Tax Parcel 216, New Lot, and New Lot 2 are undeveloped and have no impervious surface. Revised Tax Parcel 2 is developed currently with a single-family dwelling unit, studio, parking area, pool, storage area, driveway, and dog pen. Total impervious surface on this site is 86,878 square feet, which is below the 15% permitted (101,969 square feet). All five available development rights in the Critical Area will be used if this project is approved.

Based on the provided information, this application adequately addresses most of the comments that were sent from this office by Kerrie Gallo on December 7, 2006. However, we have the following comments on this project:

- 1. Please ensure that the applicant follows the recommendations given by the Department of Natural Resources Wildlife and Heritage Service in order to protect the Delmarva Fox Squirrel, which is known to occur on or in the immediate vicinity of this property.
- 2. The site plan states, under the Property Area Statistics Section, that total acreage of the property is 110.249 acres and the total area in the Critical Area is 101.897 acres. The same acreage is stated for forest cover calculations. Under development rights calculations, however, Critical Area acreage is 103.529 acres. Furthermore, area outside the Critical Area is 8.352 acres. Total acreage would

then be 111.881 acres. Meanwhile, when adding up the area for each parcel and lot in the impervious area calculations section of this site plan, total acreage in the Critical Area is only 98.208 acres (Tax Parcel 218 = 69.612 acres, Tax Parcel 216 = .939 acres, New Lot 1 = 7.932 acres, New Lot 2 = 4.119 acres, and Revised Tax Parcel 2 = 15.606 acres). Please determine the accurate acreage of this property both inside and outside of the Critical Area and recalculate the amount of impervious surface permitted, forest cover needed, and development rights allowed. If Critical Area acreage falls below 100 acres, then the property loses one development right, and one lot must be removed from this subdivision application.

Thank you for the opportunity to provide comments on this lot line revision request. Please have the applicant provide the information requested above. Please call me with any questions at (410) 260-3483.

Sincerely,

Mut Helly Nick Kelly

Natural Resource Planner

TC 49-06

Robert L. Ehrlich, Jr. Governor

Michael S. Steele Lt. Governor



Martin G. Madden Chairman

Ren Serey
Executive Director

STATE OF MARYLAND CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401 (410) 260-3460 Fax: (410) 974-5338 www.dnr.state.md.us/criticalarea/

December 7, 2006

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
11 N. Washington Street
Courthouse
Easton, Maryland 21601

Re: M1081 Sterling Subdivision

Dear Ms. Verdery:

Thank you for providing information on the above referenced lot line revision, lot line abandonment, and subdivision. The applicant is proposing to revise and abandon lot lines on three existing tax parcels and to create two new lots. The property is designated a Resource Conservation Area (RCA). Revised Tax Parcel 2 is currently developed with a single-family dwelling and pool.

Based on the information provided, we have the following comments:

- 1) The tax map records show that Parcel 70 directly abuts Parcel 2 along the southeastern boundary of Parcel 2. Tax Parcel 70 is not shown on the plat, yet it appears that some of the acreage from Parcel 70 is being utilized to create the proposed new lots 1 and 2. Please have the applicant provide this office with information clarifying the relationship of parcel boundaries between Parcel 2 and Parcel 70. Specifically, it is not clear that the acreage within proposed Lot 1 and 2 is derived from Parcel 2.
- 2) Please clarify how much total acreage is within the Critical Area including Parcels 70 and 218. These acreages must be the original acreages.
- 3) The tidal wetland information provided on the plat indicates that approximately 2.42 acres of tidal wetlands exist within the property boundaries. The plat further states that the wetland limits and ownership information were taken from wetland maps. Given that the total acreage for the proposed subdivision is just over 100 acres (101.897 acres), the amount of development rights available to the applicant may be affected by the ownership of the wetlands areas. Therefore, in this case, it will be necessary for the applicant to provide a professional field determination of private versus State-owned wetlands to verify the limits, extent, and ownership of the wetland areas. Upon completion of an ownership determination, please have the applicant provide information regarding the methods and field indicators used to make the determination to this office.

Mary Kay Verdery M1081 Sterling December 7, 2006 Page 2

- 4) As you are aware, the applicant must obtain an evaluation of the property by the Department of Natural Resources (DNR) for the presence of rare, threatened, and endangered species. If present, the applicant must address the recommendations by DNR for the protection of these species. This office has not received an evaluation from DNR for the Sterling property at this time.
- 5) It appears that the limit of the 25-foot nontidal pond buffer exceeds the 50-foot building restriction line shown on Sheet 2 of 3 of the plat, and that this limit is not accurately shown. Please have the applicant correct the limits of the buffer.
- 6) Please clarify where the impervious surface area for the existing entrance road has been included within the impervious surface area calculations.
- 7) The State wetlands maps indicate that a stream exists east of the tidal wetland and nontidal pond at the southern end of Parcel 218, but this feature is not shown on the plat. Please have the applicant field verify the presence of this feature and include it on the plat if present.

Thank you for the opportunity to provide comments for this subdivision request. Please have the applicant address the comments above and submit a revised subdivision plat. Please contact me at (410) 260-3482 if you have any questions.

Sincerely,

Kerrie L. Gallo

Natural Resource Planner

Kemingaelo

TC 49-06

Cc: Doldon Moore, State Wetlands Administrator

Lane Engineering, LLC

Established 1986

Civil Engineers . Land Planning . Land Surveyors

15 Washington Street Cambridge, Maryland 21613 Tel 410-221-0818 Fax 410-476-9942

117 Bay Street P.O. Box 1767 Easton, Maryland 21601 Tel 410-822-8003 Fax 410-822-2024

354 Pennsylvania Avenue Centreville, Maryland 21617 Tel 410-758-2095 Fax 410-758-4422

M. Stark McLaughlin Environmental Planner – Forester Lane Engineering, LLC

April 8, 2009

Habitat Protection Plan

Robert M. Sterling, Jr. 27826 Otwell Road Oxford, MD 21654 - 1526

Tax Map 48 Grid 7 Parceis 2, 216, & 218

Proposed Site Conditions: The proposed project is for line revisions to redefine the boundary lines on 3 existing parcels of land. (Tax parcels 2, 216 and 218) These revisions required no grading, clearing, tree removals or construction. The lots conform to all design standards for size, septic, wells, and zoning densities.

Existing site conditions: The total site area is 105.738 acres. The area within the Critical Area is 97.386 acres. The forest cover on the total site is 28.69 acres. The existing forest cover is comprised of the forested field edges and established plantations of Loblolly Pine on 9.48 acres. The pines were planted on open agricultural lands to provide buffers and screening of the existing structures and roads and are 14 years old. The balance of the forested areas on the site are either narrow upland edges of the fields or nontidal wetland bottomlands around the ponds and shorelines. No areas of large mature timber are present and the nontidal forest areas contain a dense undergrowth of soft herbaceous plants and woody shrubs.

Habitat Type: Open agricultural lands, pine forest plantations and forest edges.

Species of Concern: the Department of Natural Resources has determined that "the Deimarva fox squirrel a state and federally listed endangered species is known to occur on or in the immediate vicinity of the property." Protection of the endangered species habitat is required within the Critical Area. Delmarva fox squirrel habitat is generally characterized as forest with relatively mature trees, either hardwoods or loblolly plne, with a relatively sparse understory".

Conservation and Protection Measures: The proposed activities for this project do not occur with the forested portions of the site. No trees are to be removed or harvested and no land clearing is proposed.



Conclusion and Summary: The proposed line revisions and lot redesigns will have no negative impacts of the listed protected species. The site is in proximity to a known and documented Delmarva fox squirrel habitat; Otwell Woodland Preserve, and may be utilized as an occasional corridor. The 100 foot buffer will preserve and protect that corridor area.

Attachments:

- Maryland Department of Natural Resources Heritage Letter, April 6, 2007
- 2. Google Image Photo June 8, 2005

OWNER: TAX PARCELS 2, 212 & 218
ROBERT M. STERLING, JR. & ELIZABETH D. STERLING PROPERTY ADDRESS: 27826 OTWELL ROAD OXFORD, MARYLAND 21654-1526 PHONE: CONTACT DAVE THOMPSON (410) 822-6800 **DEED REFERENCES:** 938/418 (TAX PARCEL 2) 938/459 (TAX PARCEL 216) 1016/130 (TAX PARCEL 218)

NOTE: THE PROPERTY SHOWN HEREON LIES PARTIALLY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

ZONING CLASSIFICATION: RC (RURAL CONSERVATION) & WRC (WESTERN RURAL CONSERVATION)

ZONING DEVELOPMENT STANDARDS:

PLAT REFERENCE: 5/4 ||

MINIMUM LOT SIZE: 2.0 ACRES (RC) 1.0 ACRE (WRC) BUILDING RESTRICTION LINES: LOTS OF 2 ACRES OR GREATER (RC & WRC) FRONT: 50' SIDE: 50'

REAR: 50' SEWAGE DISPOSAL AREA: 20' MEAN HIGH WATER: 100' TIDAL WETLANDS/POND: 100' NON-TIDAL WETLANDS/POND: 25' INTERMITTENT STREAM: 100'

FLOOD ZONE INFORMATION

THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "A4" (EL 6) AND "C" AND IS LOCATED WITHIN COASTAL FLOOD PLAIN AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS COMMUNITY PANEL NO. 240066-0038 FOR TALBOT COUNTY, MARYLAND. THEREFORE, MANDATORY FLOOD INSURANCE MAY BE REQUIRED IN ACCORDANCE WITH THE PROVISIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, D.C.

FLOOD PLAIN LEGEND A - 100 YEAR FLOOD ZONE B - 500 YEAR FLOOD ZONE C - AREA OF MINIMAL FLOODING

THE FLOOD ZONE "A" PORTION OF THE PROPERTY SHOWN HEREON HAS A ONE-PERCENT CHANCE OF OCCURRENCE OF BEING INUNDATED BY A FLOOD IN ANY GIVEN YEAR. THEREFORE, ANY NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENT ON THE PROPERTY IN ZONE "A" IS SUBJECT TO FEDERAL, STATE AND LOCAL REGULATIONS WHICH MAY INCLUDE MANDATORY FLOOD INSURANCE.

PROPERTY OWNER DECLARATION:

SUBDIVISION.

THIS DEVELOPMENT MAY CONTAIN JURISDICTIONAL NONTIDAL WETLANDS, WHICH HAVE NOT BEEN OFFICIALLY DELINEATED BY THE U.S. ARMY CORPS OF ENGINEERS. THE IDENTIFICATION AND/OR DELINEATION OF JURISDICITONAL NON-TIDAL WETLANDS AS SHOWN ON THIS APPLICATION ARE BASED UPON THE FEDERAL MANUAL FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS. AS THE APPLICANT OF THIS DEVELOPMENT PROJECT, I UNDERSTAND THAT THE FINAL AUTHORITY FOR ALL NONTIDAL WETLAND DELINEATIONS AND REGULATIONS FOR LANDS IN THE CRITICAL AREA RESTS WITH THE U.S. ARMY CORPS OF ENGINEERS. I ALSO UNDERSTAND THAT COUNTY APPROVAL OF THIS DEVELOPMENT PROJECT DOES NOT EXEMPT THIS PROJECT FROM OBTAINING PERMITS AND APPROVALS, WHICH MAY BE REQUIRED BY THE U.S. ARMY CORPS OF ENGINEERS.

THIS DEVELOPMENT MAY CONTAIN THREATENED OR ENDANGERED SPECIES PROTECTED UNDER THE ENDANGERED SPECIES ACT AS AMENDED. THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE SERVICE ADMINISTERS REGULATIONS DESIGNED TO PROTECT THESE THREATENED AND ENDANGERED SPECIES AND THEIR HABITATS. AS THE APPLICANT FOR THIS DEVELOPMENT ACTIVITY, I UNDERSTAND THAT THE FINAL AUTHORITY FOR ALL DETERMINATIONS CONCERNING THE EFFECT OF THE DEVELOPMENT ON THESE SPECIES AND THEIR HABITAT RESTS WITH THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE SERVICE. I ALSO UNDERSTAND THAT COUNTY APPROVAL OF THIS PROJECT DOES NOT EXEMPT THIS PROJECT FROM OBTAINING ALL PERMITS AND APPROVALS WHICH MAY BE REQUIRED BY THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE SERVICE.

WE, ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING, OWNERS OF TAX PARCELS 2, 216 AND 218 AS SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF LINE REVISION AND

THE OWNER HAS SWORN TO AND SUBSCRIBED BEFORE ME THIS OF LINE 20 1

SUBSCRIBED BEFORE ME THIS

SURVEYOR'S CERTIFICATE:

THE PRESENT OWNERS OF THE LAND OF WHICH THIS LINE REVISION AND SUBDIVISION IS COMPRISED ARE ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING. THE OWNERS CONCUR WITH ALL NOTATIONS AND REPRESENTATIONS ON THIS PLAT WHICH IS PREPARED AND WILL BE RECORDED AT THEIR REQUEST.

, THOMAS D. LANE, HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A LINE REVISION AND SUBDIVISION OF THE LAND CONVEYED BY WIDGEON POINT, LLC., WIDGEON POINT FARM, LLC., AND HARLEIGH FARM, LLC. TO ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING BY DEED DATED JULY 29, 1999 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 938, FOLIO 418 (TAX PARCEL 2); A LINE REVISION OF THE LAND CONVEYED BY WIDGEON POINT FARM, LLC. TO ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING BY DEED DATED JULY 29, 1999 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 938, FOLIO 459 (TAX PARCEL 216); WIDGEON POINT FARM, LLC. TO ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING BY DEED DATED AUGUST 8, 2001 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 1016, FOLIO 130 (TAX PARCEL 218); AND THAT ALL MONUMENTS ARE IN PLACE.

THIS LINE REVISION AND SUBDIVISION PLAT HAS BEEN PREPARED BY THE LICENSEE EITHER PERSONALLY OR UNDER THEIR DIRECT SUPERVISION AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 09.13.06.12 OF THE MARYLAND MINIMUM STANDARDS FOR SURVEYORS.

0105-80.

PROPERTY LINE SURVEYOR NO. 117 BAY STREET P.O. BOX 1767 EASTON, MARYLAND 21601 (410)822-8003

TALBOT COUNTY HEALTH DEPARTMENT:

LOT 1 AND REVISED TAX PARCELS 2, 216 AND 218, AS SHOWN HEREON, ARE APPROVED FOR INDIVIDUAL WATER AND SEWERAGE SYSTEMS AND THEIR USE IS IN ACCORDANCE WITH THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN AND MARYLAND DEPARTMENT OF ENVIRONMENT REGULATION 26.04.03. THE HEALTH DEPARTMENT APPROVAL ON THE PLAT CERTIFIES THAT THE LOTS SHOWN HEREON ARE IN COMPLIANCE WITH THE PERTINENT HEALTH DEPARTMENT LAWS AND REGULATIONS AS OF THE APPROVAL DATE. THIS APPROVAL DOES NOT SERVE AS A SEWAGE DISPOSAL INSTALLATION PERMIT AND THE PROPERTY OWNER IS NOTIFIED THAT HE MUST STILL APPLY FOR AND OBTAIN A SEWAGE DISPOSAL PERMIT BEFORE DEVELOPING THE PROPERTY. AT THE TIME OF THE PERMIT APPLICATION, THE PROPERTY WILL BE EVALUATED PERSUANT TO COMAR 26.04.02 AND ALL OTHER APPLICABLE LAWS AND REGULATIONS. FURTHERMORE, THE TALBOT COUNTY HEALTH DEPARTMENT MAY REQUIRE MORE DETERMINATIVE INFORMATION ABOUT THE PROPERTY INCLUDING ADDITIONAL TESTING AND EVALUATION.

THIS LINE REVISION AND SUBDIVISION PLAT HAS BEEN APPROVED BY THE TALBOT COUNTY HEALTH DEPARTMENT.

TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS:

A UTILITY AND DRAINAGE RIGHT-OF-WAY AND EASEMENT SHALL BE PROVIDED IN AND OVER STRIPS OF LAND FIFTEEN (15) FEET IN WIDTH ALONG THOSE BOUNDARY LINES CONTIGUOUS TO ANY ROAD, FIFTEEN (15) FEET IN WIDTH (7.5 FEET ON EITHER SIDE) CENTERED ON ALL NEW LINES OF DIVISION AND TEN (10) FEET IN WIDTH ALONG EXISTING BOUNDARY LINES (ENTIRELY ON SUBJECT PARCEL) NOT CONTIGUOUS TO ANY ROAD, EXCEPT AS SHOWN HEREON.

WIDGEON POINT LANE, EXISTING 50' WIDE PRIVATE ROAD (PLAT MAS 5/4 II), AS SHOWN HEREON, IS PRIVATELY OWNED AND, AS SUCH, THE COUNTY HAS NO RESPONSIBILITY FOR ITS MAINTENANCE AND SAFETY. THE ROAD IS OWNED BY THE OWNER OF REVISED TAX PARCEL 2 AS SHOWN HEREON AND SHALL BE EQUALLY MAINTAINED BY THE OWNERS OF REVISED TAX PARCELS 2, 216, 218 AND

BUILDING PERMITS FOR SINGLE LOTS ACCESSING THE PUBLIC ROAD MAY BE RESTRICTED UNTIL ENTRANCE SPECIFICATIONS AT THE PUBLIC ROAD RIGHT-OF-WAY ARE MET IN ACCORDANCE WITH PROVISIONS OF THE TALBOT COUNTY CODE.

AN OVERHEAD UTILITY EXISTS ACROSS REVISED TAX PARCEL 2 AND LOT 1, AS SHOWN HEREON, TO SERVICE EXISTING STRUCTURES ON REVISED TAX PARCEL 2. THIS UTILITY SHALL NOT BE MODIFIED OR IMPACTED BY DEVELOPMENT OF THE PROPOSED SUBDIVISION UNLESS AUTHORIZED BY THE UTILITY OWNER. THE UTILITY OWNER, OR ASSIGNED AGENT, SHALL RETAIN THE RIGHT OF ACCESS TO THESE PROPERTIES, AS NECESSARY FOR THE MAINTENANCE AND/OR REPAIR OF THIS UTILITY.

REVISED TAX PARCELS 2, 216, AND 218 AND LOT 1 AS SHOWN HEREON SHALL BE DEVELOPED IN ACCORDANCE WITH THE '2000 MARYLAND STORMWATER DESIGN MANUAL', AND THE TALBOT COUNTY STORMWATER MANAGEMENT CODE.

TAX PARCEL 70 (SHOWN AS PARCEL 4 ON PLAT 5/4 II) HAS A RIGHT OF WAY FOR INGRESS AND EGRESS TO AND FROM OTWELL ROAD OVER ALL THAT PORTION OF REVISED TAX PARCEL 2 SHOWN AND DESIGNATED ON THIS PLAT AS WIDGEON POINT LANE (EXISTING 50' WIDE PRIVATE ROAD), PROVIDED HOWEVER THAT THE USE OF SAID RIGHT OF WAY FOR INGRESS AND EGRESS TO ANY EXISTING OR FUTURE RESIDENTIAL OR COMMERCIAL STRUCTURES SHALL NOT BE PERMITTED (PER DEED 938/418).

DIRECT NON-AGRICULTURAL ACCESS TO THE PUBLIC ROAD KNOWN AS "OTWELL ROAD" IS DENIED TO REVISED TAX PARCELS 2 AND 218, EXCEPT AT THE 50' WIDE PRIVATE ROAD, KNOWN AS "WIDGEON POINT LANE", AS SHOWN HEREON.

TALBOT COUNTY OFFICE OF PLANNING AND ZONING:

THIS PLAT REPRESENTS A LINE REVISION OF TAX PARCELS 2, 216 & 218 AND SUBDIVISION OF TAX PARCEL 2 OF THE LANDS OF ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING, PREVIOUSLY RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 1016 FOLIO 130 (TAX PARCEL 218), LIBER 938 FOLIO 459 (TAX PARCEL 216) AND LIBER 938 FOLIO 418 (TAX PARCEL 2).

3.4.10 TALBOT COUNTY PLANNING COMMISSION PLANNING OFFICER, AUTHORIZED AGENT

NOTARY

PUBLIC

REASONABLE EFFORT WILL BE MADE TO LIMIT CONSTRUCTION IN FOREST HABITAT AREAS TO THE NON-BREEDING SEASON FOR FOREST INTERIOR DWELLING BIRDS (SEPTEMBER-APRIL). CONSTRUCTION WILL BE DESIGNED TO MINIMIZE FOREST CLEARING AND MAINTAIN A CLOSED CANOPY OVER DRIVEWAYS IF POSSIBLE.

CUTTING AND CLEARING OF TREES WITHIN TALBOT COUNTY IS SUBJECT TO REVIEW BY THE TALBOT COUNTY PLANNING OFFICE. PLEASE CONTACT THE TALBOT COUNTY OFFICE OF PLANNING AND ZONING (410-770-8030) FOR MORE INFORMATION.

ANY LAND CLEARING, GRADING OR OTHER FARTH DISTURBANCE WITHIN THE UNINCORPORATED AREAS OF TALBOT COUNTY SHALL REQUIRE AN EROSION AND SEDIMENT CONTROL PLAN, APPROVED BY THE TALBOT COUNTY SOIL EROSION AND SEDIMENT CONTROL ORDINANCE AND THE STATE OF MARYLAND EROSION AND SEDIMENT CONTROL LAW, COMAR 4-103 &

REMOVAL OF NATURAL VEGETATION WITHIN THE 100 FOOT SHORELINE DEVELOPMENT BUFFER & EXPANDED BUFFER IS PROHIBITED. CUTTING AND/OR MOWING OF NATURAL VEGETATION WITHIN THE BUFFER IS SUBJECT TO REVIEW BY THE PLANNING AND ZONING OFFICE. PLEASE CONTACT THE TALBOT COUNTY OFFICE OF PLANING AND ZONING AT (410) 770-8030 FOR FURTHER

THE 100 FOOT SHORELINE DEVELOPMENT BUFFER & EXPANDED BUFFER ON LOT 1 AND REVISED TAX PARCELS 216 AND 218, AS SHOWN HEREON, SHALL BE ESTABLISHED IN THREE TIER NATURAL VEGETATION UPON CHANGE OF LAND USE. A FOREST PRESERVATION PLAN SHALL BE SUBMITTED TO THE TALBOT COUNTY OFFICE OF PLANNING AND ZONING FOR REVIEW

BY ACCEPTANCE OF THE DEED TO THIS PROPERTY, EACH LOT OWNER OR THEIR SUCCESSORS OR ASSIGNS, HEREBY ACKNOWLEDGE THAT THEY ARE AWARE THAT THE PROPERTY BORDERS ON PROPERTY UNDER AGRICULTURAL USE AND THAT THE NORMAL FARMING OPERATIONS ON SUCH AGRICULTURAL LAND MAY CAUSE SOME INTERFERENCE WITH THE USE AND ENJOYMENT OF THE PROPERTY, SUCH AS ODOR, DUST, NOISE, AND DRIFT OF PESTICIDES OR CHEMICALS. THE LOT OWNER ACCEPTS THE LIMITATIONS ON USE AND ENJOYMENT AFFECTING THE

DEVELOPMENT ACTIVITIES FOR NEW WATER-DEPENDENT FACILITIES SHALL BE DESIGNATED, STAGED AND TIMED TO AVOID SIGNIFICANT DISTURBANCE TO HISTORIC WATERFOWL STAGING AND CONCENTRATION AREAS DURING THE WINTER SEASON.

THE WOODSLINE AND SPECIMEN TREES SHOWN HEREON WERE TAKEN FROM THE TALBOT COUNTY AERIAL PHOTOS OF 2007.

THE TIDAL WETLANDS AS SHOWN HEREON WERE TAKEN FROM THE TALBOT COUNTY WETLANDS MAP TA-77.

TIDAL WETLAND CLASSIFICATION TABLE AREA OWNERSHIP CLASSIFICATION 42-MARSHELDER/GROUNDSEL BUSH 91,573 SF± PRIVATE 41-MEADOW CORDGRASS/SPIKEGRASS 14,005 SF± PRIVATE

AREA CALCULATIONS:

TAX PARCELS 2, 216 AND 218

TOTAL AREA= 105.738 AC.± AREA IN CRITICAL AREA= 97.386 AC.± AREA IN NON-CRITICAL AREA= 8.352 AC.± AREA TO BE SUBDIVIDED= 32.526 AC.± (TAX PARCEL 2 ONLY)

FOREST CALCULATIONS:

TAX PARCELS 2, 216 AND 218: TOTAL AREA= 105.738 AC.± (BEFORE REVISION & SUBDIVISION) AREA IN CRITICAL AREA= 97.386 AC.± AREA USED TO CALCULATE FOREST CALCULATIONS= 97.386 AC.± EXISTING FOREST IN NON-CRITICAL AREA = 4.140 AC.± EXISTING FOREST IN CRITICAL AREA= 24.556 AC.± REQUIRED FOREST IN CRITICAL AREA= 14.608 AC.± (15% OF 97.386 AC.±)

DEVELOPMENT RIGHTS CALCULATIONS, CRITICAL AREA:

TAX PARCEL 2 (BEFORE REVISION & SUBDIVISION)
TOTAL AREA= 32.526 AC.±

AREA IN CRITICAL AREA= 25.401 AC.± AREA USED TO CALCULATE DEVELOPMENT RIGHTS= 25.401 AC.± DEVELOPMENT RIGHTS PERMITTED= 1 DEVELOPMENT RIGHTS UTILIZED= 1 DEVELOPMENT RIGHTS REMAINING= 0

TAX PARCEL 216 (BEFORE REVISION & SUBDIVISION) TOTAL AREA= $18.227 \text{ AC.} \pm$ AREA IN CRITICAL AREA= 18.227 AC.± AREA USED TO CALCULATE DEVELOPMENT RIGHTS= 18.227 AC.± DEVELOPMENT RIGHTS PERMITTED= 1 DEVELOPMENT RIGHTS UTILIZED= 1 DEVELOPMENT RIGHTS REMAINING= O

TAX PARCEL 218 (BEFORE REVISION & SUBDIVISION) TOTAL AREA= 54.985 AC.±

AREA IN CRITICAL AREA = 53.758 AC.± AREA USED TO CALCULATE DEVELOPMENT RIGHTS= 53.758 AC.± DEVELOPMENT RIGHTS PERMITTED= 2 DEVELOPMENT RIGHTS UTILIZED= 2 (LOT 1 & TAX PARCEL 218) DEVELOPMENT RIGHTS REMAINING= 0

DEVELOPMENT RIGHTS CALCULATIONS, NON-CRITICAL AREA:

TAX PARCEL 2 (BEFORE REVISION & SUBDIVISION)
TOTAL AREA= 32.526 AC.± AREA IN NON-CRITICAL AREA= 7.125 AC.± AREA USED TO CALCULATE DEVELOPMENT RIGHTS= 7.125 AC.± DEVELOPMENT RIGHTS PERMITTED= 3 (2 DEVELOPMENT RIGHTS SHALL BE CLUSTERED ON A MAXIMUM OF 7 ACRES) DEVELOPMENT RIGHTS UTILIZED= 1 (CARETAKERS DWELLING, NON-CLUSTER DEVELOPMENT RIGHT) DEVELOPMENT RIGHTS REMAINING= 2

TAX PARCEL 218 (BEFORE REVISION & SUBDIVISION) TOTAL AREA= 54.985 AC.± AREA IN NON-CRITICAL AREA= 1.227 AC.± AREA USED TO CALCULATE DEVELOPMENT RIGHTS= 1.227 AC.± DEVELOPMENT RIGHTS PERMITTED= 1 DEVELOPMENT RIGHTS UTILIZED= 0 DEVELOPMENT RIGHTS REMAINING=

DEVELOPMENT RIGHTS SHOWN HEREON ARE BASED UPON CURRENT REGULATIONS AND MAY BE SUBJECT TO CHANGE BASED ON ZONING ORDINANCE REGULATIONS IN EFFECT AT THE TIME OF DEVELOPMENT ACTIVITY.

LOT COVERAGE CALCULATIONS, CRITICAL AREA:

REVISED TAX PARCEL 2 (AFTER REVISION & SUBDIVISION)
TOTAL LOT AREA= 20.274 AC.±

TOTAL AREA IN CRITICAL AREA= 15.129 AC.± ALLOWABLE LOT COVERAGE= 98,853 SQ. FT. (15% OF 15.129 AC.±) EXISTING LOT COVERAGE: MAIN DWELLING= 7,889 SQ. FT. PAVED DRIVEWAY/PARKING AREA = 40,919 SQ. FT.

(AREA OF PAVED DRIVEWAY IN PRIVATE ROAD EASEMENT=16,174 SQ. FT.) WALKS/PATIOS= 4,640 SQ. FT. CONCRETE PADS= 377 SQ. FT. DOG PEN= 100 SQ. FT. POOL/EQUIPMENT STORAGE= 1,466 SQ. FT.

POOL= 1,062 SQ. FT. STUDIO= 1.834 SQ. FT. BRICK WALLS= 312 SQ. FT. TOTAL EXISTING LOT COVERAGE= 58,599 SQ. FT. ALLOWABLE LOT COVERAGE REMAINING= 40,254 SQ. FT.

REVISED TAX PARCEL 216 (AFTER REVISION & SUBDIVISION)
TOTAL LOT AREA= 14.647 AC.± TOTAL AREA IN CRITICAL AREA 14.647 AC.± ALLOWABLE LOT COVERAGE= 95,703 SQ. FT. (15% OF 14.647 AC.±) TOTAL EXISTING LOT COVERAGE O SQ. FT. ALLOWABLE LOT COVERAGE REMAINING= 95,703 SQ. FT.

REVISED TAX PARCEL 218 (AFTER REVISION & SUBDIVISION)
TOTAL LOT AREA = 63.467 AC.± TOTAL AREA IN CRITICAL AREA = 60.260 AC.± ALLOWABLE LOT COVERAGE= 393,739 SQ. FT. (15% OF 60.260 AC.±) TOTAL EXISTING LOT COVERAGE= O SQ. FT. ALLOWABLE LOT COVERAGE REMAINING= 393,739 SQ. FT.

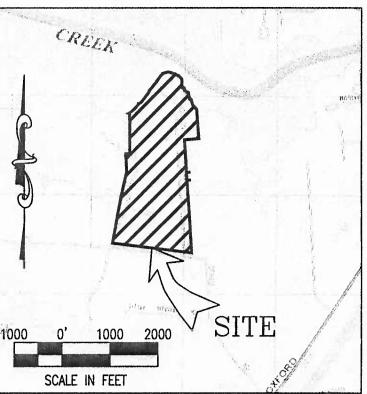
LOT 1 (AFTER REVISION & SUBDIVISION)
TOTAL LOT AREA= 7.350 AC.± TOTAL AREA IN CRITICAL AREA = 7.350 AC.± ALLOWABLE LOT COVERAGE= 48,025 SQ. FT. (15% OF 7.350 AC.±) TOTAL EXISTING LOT COVERAGE = 0 SQ. FT. ALLOWABLE LOT COVERAGE REMAINING= 48,025 SQ. FT

LOT COVERAGE CALCULATIONS, NON-CRITICAL AREA:

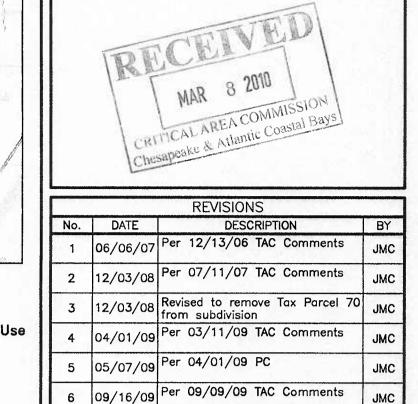
REVISED TAX PARCEL 2 (AFTER REVISION & SUBDIVISION)
TOTAL LOT AREA= 20.274 AC.± TOTAL AREA IN NON-CRITICAL AREA = 5.145 AC.± ALLOWABLE LOT COVERAGE= 33,617 SQ. FT. (15% OF 5.145 AC.±) EXISTING LOT COVERAGE: PAVED DRIVEWAY= 11,704 SQ. FT. (10,321 SQ. FT. OF WHICH IS WITHIN THE PRIVATE ROAD "WIDGEON POINT LANE") CARETAKERS DWELLING= 1,497 SQ. FT. GARAGE= 569 SQ. FT.

UTILITY BUILDING= 200 SQ. FT. TOTAL EXISTING LOT COVERAGE= 13,970 SQ. FT. ALLOWABLE LOT COVERAGE REMAINING= 19,647 SQ. FT.

REVISED TAX PARCEL 218 (AFTER REVISION & SUBDIVISION) TOTAL LOT AREA= 63.467 AC.± TOTAL AREA IN NON-CRITICAL AREA= 3.207 AC.± ALLOWABLE LOT COVERAGE= 20,955 SQ. FT. (15% OF 3.207 AC.±) TOTAL EXISTING LOT COVERAGE O SQ. FT. ALLOWABLE LOT COVERAGE REMAINING= 20,955 SQ. FT.



VICINITY MAP SCALE: 1" = 2000'Copyright of the ADC Map People Permitted Use No. 20992180 (ADC MAP No. 19)



10/23/09 Revised to show

access easement

3 01/04/10 Revise proposed property lines

9 02/04/10 Per 02/03/10 PC & PZ Staff

Lane Engineering, LLC

Established 1986

Civil Engineers • Land Planning • Land Surveyors

NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND DATED HERE:

Comments

THOMOND O 82-89-2018 REVISION AND SUBDIVISION PLAT OF THE LANDS OF ROBERT M. STERLING, JR. AND

ELIZABETH D. STERLING IN THE THIRD ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 48 GRID 7 TAX PARCELS 2,216&21

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SCALE

09/18/06 080644 A107 FILE No.

TAX PARCEL 216 TAX PARCEL 70 P. 109 CONSERVANC TAX PARCEL 218 TAX PARCEL 70

BEFORE REVISION & SUBDIVISION, TAX MAP INSET

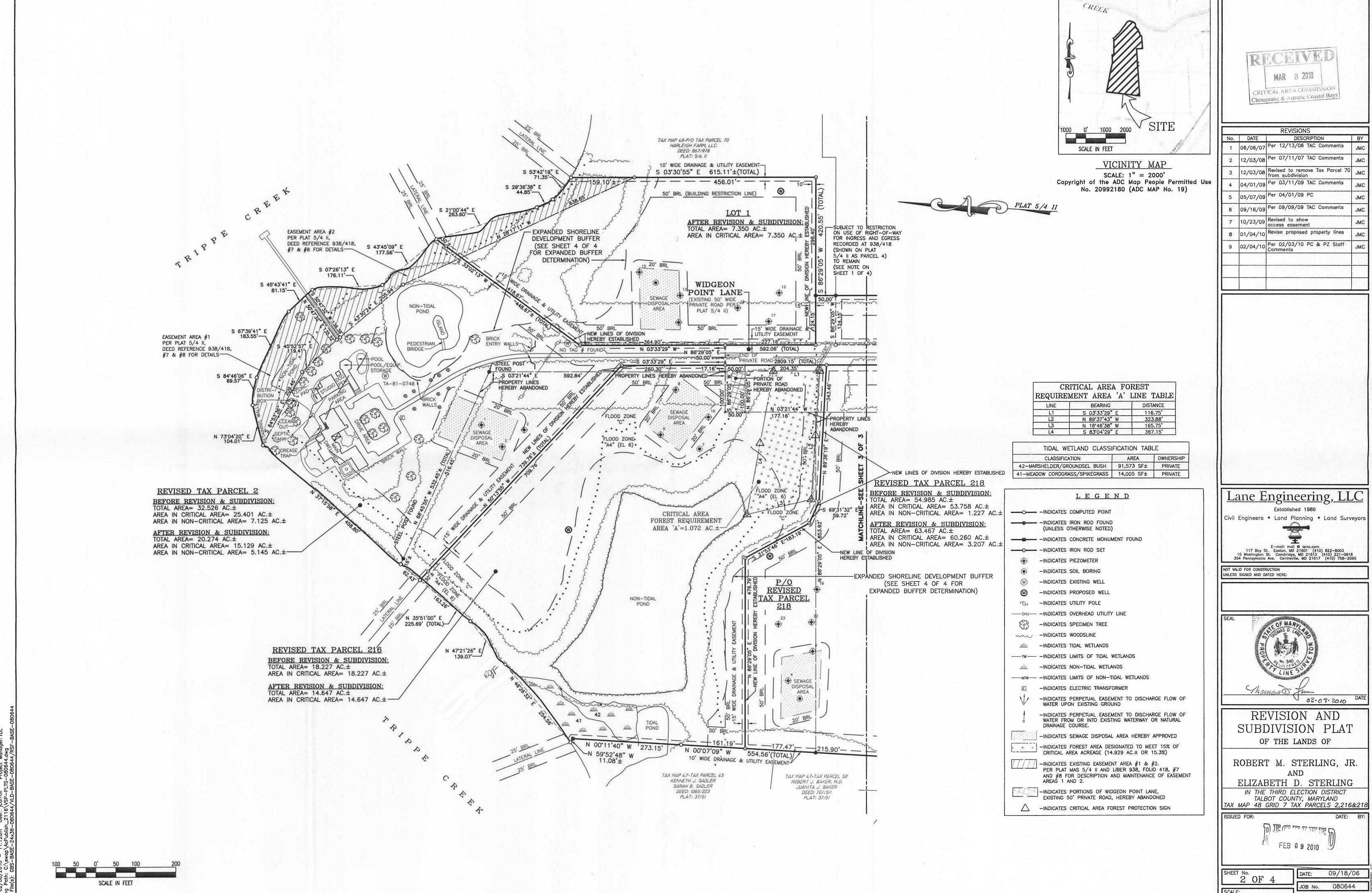
SCALE: 1"=500"

P.157

// L'12/

TAX PARCEL 2

Date Recorded March 5, 2010 Rept# 8147



No.	DATE	DESCRIPTION	BY
1	06/06/07	Per 12/13/06 TAC Comments	JMC
2	12/03/08	Per 07/11/07 TAC Comments	ЈМС
3	12/03/08	Revised to remove Tax Parcel 70 from subdivision	JMC
4	04/01/09	Per 03/11/09 TAC Comments	ЈМС
5	05/07/09	Per 04/01/09 PC	ЈМС
6	09/16/09	Per 09/09/09 TAC Comments	JMC
7	10/23/09	Revised to show access easement	ЈМС
8	01/04/10	Revise proposed property lines	JMC
9	02/04/10	Per 02/03/10 PC & PZ Staff Comments	ЈМС

A107 FILE No.

